

1 MICHAEL A. JACOBS (SBN 111664)
2 GRANT L. KIM (SBN 114989)
3 JASON A. CROTTY (SBN 196036)
MORRISON & FOERSTER LLP
4 425 Market Street
San Francisco, California 94105-2482
Telephone: (415) 268-7000
Facsimile: (415) 268-7522
5
6 Attorneys for Plaintiff

7 RICHARD J. COLLIER (SBN 88114)
TITCHELL, MALTZMAN, MARK & OHLEYER
A Professional Corporation
8 650 California Street, 25th Floor
San Francisco, California 94108
9 Telephone: (415) 392-5600
Facsimile: (415) 981-5027
10

11 DOUGLAS J. ROVENS (SBN 106582)
12 STEVEN A. LAMB (SBN 132534)
JOHN STEELE (SBN 179875)
ROVENS LAMB LLP
660 South Figueroa Street, Suite 1900
13 Los Angeles, California 90017
Telephone: (213) 895-4150
14 Facsimile: (213) 895-4155
15 Attorneys for Defendants

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17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19 SAN FRANCISCO DIVISION

20 ARRIVA PHARMACEUTICALS, INC. fka
21 ALPHAONE PHARMACEUTICALS, INC., a
California corporation,
22 Plaintiff,
23 v.
24

SONORAN DESERT CHEMICALS, L.L.C., a
Nevada limited liability company; et al.,
26 Defendants.
27

No. C 99-2169-SI

**JOINT STIPULATION AND
[PROPOSED] ORDER REGARDING
CASE MANAGEMENT
CONFERENCE AND RESPONSE
TO COUNTERCLAIM**

Date: April 14, 2006
Time: 2:30 p.m.
Courtroom 10: Hon. Susan Illston

1 Plaintiff, Arriva Pharmaceuticals, Inc. fka AlphaOne Pharmaceuticals, Inc. ("Arriva"), and
2 Defendants, Sonoran Desert Chemicals, L.L.C. ("Sonoran") and John Lezdey ("Lezdey"), hereby
3 submit this Joint Stipulation and Proposed Order regarding Case Management Conference and
4 Response to Counterclaim. Sonoran and Lezdey have proposed that the Case Management
5 Conference currently scheduled for April 14, 2006, be rescheduled for April 28, 2006, because the
6 Florida court may issue its ruling on the post-trial motions in the related Florida litigation within
7 this time frame, as those motions have been fully briefed, argued, and submitted for decision.
8 Arriva does not oppose this request, provided that a related adjustment is made to the date for
9 responding to the counterclaim of Sonoran and Lezdey. Accordingly,

10 IT IS HEREBY STIPULATED AND AGREED by and between the parties, through their
11 counsel of record, and subject to the Court's approval, that:

12 1. The Case Management Conference currently scheduled for April 14, 2006, shall be
13 continued until April 28, 2006, at 2:30 p.m.;

14 2. The parties shall file a Joint Case Management Statement one week before the Case
15 Management Conference; and

16 3. Defendants Arriva and Baxter shall respond to the counterclaim of Sonoran and
17 Lezdey on or before April 14, 2006.

18 Dated: April 6, 2006

19 MICHAEL A. JACOBS
20 GRANT L. KIM
21 JASON A. CROTTY
22 MORRISON & FOERSTER LLP

23 By: s/ Grant L. Kim
Grant L. Kim

24 Attorneys for Plaintiff

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1 Dated: April 6, 2006

2 RICHARD J. COLLIER
3 TITCHELL, MALTZMAN, MARK & OHLEYER

4 DOUGLAS J. ROVENS
5 STEVEN A. LAMB
6 JOHN STEELE
7 ROVENS LAMB LLP

8 By: s/ John Steele
9 John Steele

10 Attorneys for Defendants

11 I, Grant L. Kim, am the ECF User whose ID and password are being used to file this Joint
12 Stipulation and [Proposed] Order Regarding Case Management Conference and Response to
13 Counterclaim. In compliance with General Order 45, X.B., I hereby attest that John Steele has
14 concurred in this filing.

15 Dated: April 6, 2006

16 MORRISON & FOERSTER LLP

17 By: s/ Grant L. Kim
18 Grant L. Kim

19 Attorneys for Plaintiff

20 **[PROPOSED] ORDER**

21 PURSUANT TO THE PARTIES' JOINT STIPULATION, the Case Management
22 May 12
23 Conference is continued to ~~April 28~~, 2006, at 2:30 p.m., and Defendants Arriva and Baxter shall
24 respond to the counterclaim of Sonoran and Lezdey on or before April 14, 2006.

25 Dated: April ___, 2006

26 _____
27 Honorable Susan Illston
28 United States District Court Judge